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13 Attorneys for Defendant ARISTA NETWORKS, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 CISCO SYSTEMS, INC.,

18 Plaintiff,

19 v.

20 ARISTA NETWORKS, INC.,

21 Defendant.
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Case No. 5:14-cv-05344-BLF (NC)

**DECLARATION OF RYAN WONG IN
SUPPORT OF DEFENDANT ARISTA
NETWORKS, INC.'S MOTIONS IN
LIMINE NOS. 1-5**

Date: November 3, 2016

Time: 1:30 p.m.

Judge: Hon. Beth Labson Freeman

Date Filed: December 5, 2014

Trial Date: November 21, 2016

1 I, Ryan Wong, declare:

2 1. I am an attorney licensed to practice law in the State of California and am an
3 associate with the law firm of Keker & Van Nest LLP, located at 633 Battery Street,
4 San Francisco, California 94111, counsel for Defendant Arista Networks, Inc. (“Arista”) in the
5 above-referenced action. Unless otherwise stated, the facts I set forth in this declaration are based
6 on my personal knowledge or knowledge I obtained through my review of corporate records or
7 other investigation. If called to testify as a witness, I could and would testify competently to such
8 facts under oath

9 2. Attached hereto as **Exhibit A** is a true and correct copy of excerpts of Cisco’s
10 Trial Exhibit list.

11 3. Attached hereto as **Exhibit B** is a true and correct copy of Arista’s First Set of
12 Interrogatories to Cisco, dated April 10, 2015.

13 4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts of Exhibit 6 to
14 the Expert Report of Kevin Almeroth (dated June 3, 2016) re Evidence of HelpDesc Copying.

15 5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts of Cisco’s
16 Supplemental Objections and Responses to Arista Networks, Inc.’s Interrogatory Nos. 2–10,
17 dated May 27, 2016.

18 6. Attached hereto as **Exhibit E** is a true and correct copy of Exhibit A to Cisco’s
19 Objections and Responses to Arista’s First Set of Interrogatories.

20 7. Attached hereto as **Exhibit F** is a true and correct copy of Exhibit 1 to the Expert
21 Report of Kevin Almeroth re Evidence of Documentation Copying.

22 8. Attached hereto as **Exhibit G** is a true and correct copy of excerpts from the
23 Rebuttal Expert Report of Kevin Almeroth, dated June 16, 2016. While this document is labeled
24 “Highly Confidential – Attorney’s Eyes Only,” the excerpted pages were previously filed without
25 redactions on the public docket in this litigation at ECF 404-1 on July 26, 2016, with the consent
26 of Cisco’s counsel in this litigation.

27 9. Attached hereto as **Exhibit H** is a true and correct copy of the Declaration of
28 Charles Giancarlo in Support of Plaintiff Cisco’s Motion For Preliminary Injunction in *Cisco*

1 *Systems, Inc. v. Huawei Technologies, Co., Ltd.*, Case No. 2:03-CV-027, United States District
2 Court for the Eastern District of Texas, dated February 3, 2003. While this document is labeled
3 “Confidential,” it was previously filed without redactions on the public docket in this litigation at
4 ECF 404-2 on July 26, 2016, with the consent of Cisco’s counsel in this litigation.

5 10. Attached hereto as **Exhibit I** is a true and correct copy of excerpts from the
6 deposition transcript of Charles Giancarlo, taken on April 25, 2016. While the transcript is
7 labeled “Highly Confidential – Attorney’s Eyes Only,” the excerpted pages were previously filed
8 without redactions on the public docket in this litigation at ECF 404-3 on July 26, 2016, with the
9 consent of Cisco’s counsel in this litigation.

10 11. Attached hereto as **Exhibit J** is a true and correct copy of Cisco’s First
11 Supplemental Initial Disclosures, dated May 3, 2016.

12 12. Attached hereto as **Exhibit K** is a true and correct copy of the email string
13 between counsel for Arista and Cisco, dated May 16 and 22, 2016.

14 13. Attached hereto as **Exhibit L** is a true and correct copy of Cisco’s Trial Witness
15 List, dated September 7, 2016.

16 14. Attached hereto as **Exhibit M** is a true and correct copy of the email from Sara
17 Jenkins, counsel for Cisco, to Elizabeth McCloskey, counsel for Arista, dated September 15,
18 2016.

19 15. Attached hereto as **Exhibit N** is a true and correct copy of the email from
20 Elizabeth McCloskey, counsel for Arista, to counsel for Cisco, dated September 12, 2016.

21 16. Attached hereto as **Exhibit O** is a true and correct copy of the LinkedIn profile
22 page of Jeff Reed., Senior Vice President and General Manager of the Enterprise Infrastructure
23 and Solutions Group at Cisco Systems.

24 17. Attached hereto as **Exhibit P** is a true and correct copy of the LinkedIn profile
25 page of Dave Ward, Chief Technology Officer of Engineering and Chief Architect at Cisco
26 Systems.

27 18. Attached hereto as **Exhibit Q** is a true and correct copy of the profile page of
28 Mallum Yen, Executive Vice President of RPX Corporation.

1 19. Attached hereto as **Exhibit R** is a true and correct copy of the LinkedIn profile
2 page of Christine Bakan, Senior Director of Software Defined Networking at Cisco Systems.

3 20. Attached hereto as **Exhibit S** is a true and correct copy of the LinkedIn profile
4 page of Dylan Cannon, Vice President of Finance at Cisco Systems.

5 21. Attached hereto as **Exhibit T** is a true and correct copy of the LinkedIn profile
6 page of Frank Palumbo, Senior Vice President at Cisco Systems.

7 22. Attached hereto as **Exhibit U** is a true and correct copy of Arista's First Set of
8 Request for Production to Cisco, dated March 7, 2015.

9 23. Attached hereto as **Exhibit V** is a true and correct copy of Cisco's Trial Exhibit
10 No. 3480, which bears control numbers ANI-ITC-944_945-3680401 to 3680414.

11 24. Attached hereto as **Exhibit W** is a true and correct copy of Cisco's Trial Exhibit
12 No. 3741, which bears control numbers ARISTANDCA11424063 to 64.

13 25. Attached hereto as **Exhibit X** is a true and correct copy of Cisco's Trial Exhibit
14 No. 4564, which bears control numbers ARISTANDCA00055945 to 82.

15 26. Attached hereto as **Exhibit Y** is a true and correct copy of excerpts from the
16 deposition transcript of Cisco engineer Drew Pletcher, taken on May 26, 2016.

17 27. Attached hereto as **Exhibit Z** is a true and correct copy of excerpts from the
18 deposition transcript of Cisco engineer Deepak Malik, taken on May 19, 2016.

19 28. On September 15, 2016, I spoke by phone with Ms. Sara Jenkins and Mr. Sean
20 Pak, counsel for Cisco. Ms. Jenkins and Mr. Pak stated that Cisco would not agree to limit the
21 trial testimony of Dylan Cannon, Frank Palumbo, and Christine Bakan to the Federal Rule of
22 Civil Procedure 30(b)(6) topics on which they were designated and deposed in this litigation.

23 Executed September 16, 2016, at San Francisco, California.

24 I declare under penalty of perjury under the laws of the United States of America that the
25 foregoing is true and correct.

26 /s/ Ryan Wong
27 RYAN WONG
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